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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,	**Case No. 3:15-cr-00438-JO**
Plaintiff,	**UNOPPOSED MOTION FOR AUTHORIZATION TO TRAVEL**
vs.	
WINSTON SHROUT,	
Defendant.	

The defendant, Winston Shrout, through counsel, Ruben L. Iñiguez, moves the Court to authorize his request to travel from Oregon to Nevada and Utah for the purpose of visiting his wife and children before sentencing. Neither the U.S. Pretrial Services

Office, through Christina Song, nor the government, through Stuart A. Wexler, United States Trial Attorney, Department of Justice Tax Division, opposes this motion.

BACKGROUND

Mr. Shrout is 69 years old. He has no prior criminal history. He has residences in Hillsboro, Oregon, and Ivins, Utah. His wife, Charolette Killips, age 67, resides in Ivins, Utah. Several of his children, including his daughter, America, live nearby in St. George, Utah. America recently gave birth. Mr. Shrout has yet to meet his newest grandchild. Mr. Shrout also has two sons, Robert and William, who reside in Las Vegas, Nevada. William's wife, Alyssa, is expecting to give birth soon. Mr. Shrout would like to visit William and Alyssa and, hopefully, their new baby.

Seventeen months ago, on January 7, 2016, Mr. Shrout appeared in U.S. District Court in Portland pursuant to a summons. ECF 8. The Court ordered his release on the condition that he "provide a current address and phone to Pretrial Services." ECF 7. During the hearing, Mr. Shrout advised that he was scheduled to leave the United States on a cruise destined for Mexico. ECF 67. The government opposed his travel request. The Court ultimately declined to impose any restrictions on Mr. Shrout's travel, domestic or international, and expressly authorized him to travel to Mexico as planned. Mr. Shrout traveled to Mexico and timely returned to Oregon without incident.

On at least one occasion while his case was pending trial, Mr. Shrout traveled from Portland to Las Vegas, Nevada, and Ivins, Utah, to visit his wife and family. After visiting them there, he returned to Oregon without incident, as promised.[1]

In late February 2017, approximately two months before his jury trial was scheduled to commence, Mr. Shrout traveled from Portland to Puerto Vallarta, Mexico, for medical purposes. As usual, he informed Pretrial Services about his travel plans. While in Mexico, Mr. Shrout underwent hip replacement surgery. Following surgery, he remained in Mexico for approximately three weeks undergoing physical rehabilitation. He then returned to Oregon, as promised, less than two weeks before his trial commenced. On April 13, he personally attended an *in camera* pretrial conference. ECF 89. He subsequently appeared for each day of his four-day trial on April 18, 19, 20, and 21. ECF 102-105.

On April 21, 2017, the jury returned guilty verdicts on Counts 1-19 of the Superseding Indictment. ECF 105. Following Mr. Shrout's conviction, the Court scheduled sentencing for August 1 and entered an Order Modifying Conditions of Pretrial Release. ECF 106. The Court directed as follows:

> Travel is limited to Oregon unless prior approval is obtained from the Court. Surrender any passport or international travel documents to Pretrial Services or submit a statement to Pretrial Services that the defendant does not possess a passport or

[1] Although the Court did not require Mr. Shrout to obtain prior authorization to travel outside Oregon, Pretrial Services Officer Chris Song confirms that he informed her about his travel plans in advance.

> international travel documents. The defendant is not to apply for a new passport or international travel documents.

Id.

That same day, April 21, Mr. Shrout surrendered his passport to Pretrial Services, as directed. He continues to comply with all other conditions of his release.

Mr. Shrout is currently scheduled to meet with U.S. Probation Officer Edie Frolichmann and defense counsel in Portland on June 8 at 1:00 p.m. for a presentence report interview.

MOTION

Mr. Shrout respectfully asks the Court to approve his request to travel from Oregon to Nevada and Utah before Father's Day, Sunday, June 18, 2017. He hopes to stay there for two to three weeks, visiting his wife and children. He will return to Oregon well before his sentencing hearing on August 1.

Mr. Shrout plans to fly into Las Vegas, Nevada, and travel by car to Ivins, Utah, where he will stay with his wife, Charolette Killips. He plans to visit several of his children, including his daughter, America; her new baby; his son, Robert; his son, William; his daughter-in-law, Alyssa; and, God willing, her new baby.[2]

RESPECTFULLY SUBMITTED this 2nd day of June, 2017.

/s/ Ruben L. Iñiguez
Ruben L. Iñiguez
Assistant Federal Public Defender

[2] Mr. Shrout has already provided Pretrial Services with the names, addresses, and phone numbers for those family members with whom he will be staying and visiting in Nevada and Utah.